

FISCAL IMPACT STATEMENT ON BILL NO. **S. 141**

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney Grizzle, Beth Campbell and Allan Kincaid		
DATE:	January 23, 2007	SBD:	2007025

AUTHOR:	Senator Knotts	PRIMARY CODE CITE:	14-7-1610
SUBJECT:	Criminal Gang Prevention, Enhanced Grand Jury Jurisdiction		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

A Cost of Federal and/or Other Funds (See Below)

BILL SUMMARY:

Senate Bill 141 amends Sections 14-7-1610, 14-7-1630 and Chapter 8, Title 16 of the Code of Laws of South Carolina, 1976, by adding Article 3 to enact, "The Criminal Gang Prevention Act". The Bill also enhances the jurisdiction of the State Grand Jury over gang activities. The Bill further defines and provides for both civil and criminal penalties for gang activities.

EXPLANATION OF IMPACT:

Attorney General's Office

The Office reports that it would require 1.00 new FTE for an Attorney IV to prosecute criminal gang activity at an annual cost to the General Fund of \$102,625 for salary, fringe and other operating expenses.

Judicial Department

The Department indicates this Bill will have an impact on the General Fund of the State, which can not be quantified, due to the lack of historical data on gang related criminal cases. However, should the number of cases exceed what the current pool of circuit court judges can absorb, delays in the circuit court docket can be expected and additional judges would be needed. The cost associated with one additional judge and staff (administrative assistant, court reporter and law clerk) is approximately \$347,327 for personal services and associated operating expenses and \$20,510 of non-recurring cost for automation and furniture. The addition of new judges would also require more courtroom space, an expense borne by county government.

State Law Enforcement Division – SLED

A review of this Bill by SLED indicates a need for one (1.00) new position and support costs to train and maintain the Violent Gang and Terrorists Organization File and also manage the statewide criminal gang database. This represents a recurring cost to the General Fund of the State of approximately \$50,399. There would also be a one-time cost of \$3,400 for furniture and office equipment for the new position.

Prosecution Coordination Commission

The Commission indicates this Bill will have a minimal impact on the General Fund of the State, which can be absorbed by the agency at the current level of funding. There will be no impact on the Federal and/or Other Funds.

Department of Corrections

The Department indicates this Bill will have an impact on the General Fund of the State, due to the increase of the inmate population. The potential increase in new inmate admissions is estimated to be 40 per year, with the average additional time to serve of 3 years. With a state funded inmate cost of \$13,170, the additional cost to the General Fund can be estimated at approximately \$1.6 M over a three year period. If additional bed space would be needed, the capital costs can be estimated at \$56,000 per bed.

LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

None.

Approved by:

A handwritten signature in black ink that reads "Don Addy". The signature is written in a cursive, flowing style.

Don Addy
Assistant Director, Office of State Budget